

REMARKS

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

Objection

Claims 1, 14, 26 and 39 have been objected to because of informalities. The Office Action indicates that the term “same” in the claims should be changed to -- image signal --.

In response, claims 1, 14, 26 and 39 have been amended accordingly to recite -- image signal --.

Applicants respectfully request that these objections be withdrawn.

Status of the Claims

Claims 1-54 are pending in this application. Claims 1, 8, 14, 21, 26, 33, 39 and 46 are independent. All of the pending claims stand rejected. By this amendment, independent claims 1, 8, 14, 21, 26, 33, 39 and 46 are amended. Also, dependent claims 2-6, 9-11, 15-19, 22-24, 27-31, 34-36, 40-44 and 47-49 are also amended. No new matter has been added by these amendments.

Rejection under 35 U.S.C. §112

Claims 1-6, 8-11, 14-19, 21-24, 26-31, 33-36, 39-44 and 46-49 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Office Action indicates that the limitation “the result of the determination” in claims 1, 8, 14, 21, 26, 33, 39 and 46 lacks antecedent basis and should be either -- a result of the determination -- or -- the determination --. The Office Action further indicates that the limitation “in the case” in claims 2-6, 9-11, 15-19, 22-24, 27-31, 34-36, 40-44 and 47-49 should be -- in a case --.

In response, claims 1-6, 8-11, 14-19, 21-24, 26-31, 33-36, 39-44 and 46-49 have been amended as shown above as suggested by the Office Action.

Reconsideration and withdrawal of the rejections of claims 1-6, 8-11, 14-19, 21-24, 26-31, 33-36, 39-44 and 46-49 under 35 U.S.C. §112, second paragraph, is respectfully requested.

Rejections under 35 U.S.C. §§102 and 103

Claims 1, 2, 4, 5, 7-11, 13-15, 17, 18, 20-27, 29, 30, 32-36, 38-40, 42, 43 and 45-54 have been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 6,298,405 to Ito ("Ito").

Claims 3, 16, 28 and 41 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Ito in view of U.S. Patent No. 5,970,181 to Ohtsu ("Ohtsu").

Claims 6, 12, 19, 31, 37 and 44 have been rejected under 35 U.S.C. §103(a) as allegedly being over Ito in view of U.S. Patent No. 6,552,743 to Rissman ("Rissman").

Ito discloses a data communication method whereby a first and a second node are directly connected so that they can exchange data directly. Referring to Fig. 2, Ito discloses that a VTR 102 and a printer 101 is connected, and when the printer requests the transmission of image data, the VTR transmits pertinent image data to the printer. In particular, Ito is directed to inhibiting entry of a predetermined instruction to the VTR during the transmission of image data to the printer thereby occurrence of an obstacle to the transmission of image data can be prevented.

Claim 1 of the present invention is directed to an image sensing apparatus (e.g., a digital camera) capable of communicating with an external processing apparatus (e.g., a printer). Claim 1 recites, *inter alia*, "a determination unit" which determines the control relationship between the image sensing apparatus and the external processing apparatus, and "a processing controller"

which changes the processing procedure based on the determination result. In particular, claim 1 specifically recites “a determination unit which determines whether control relation between the image sensing apparatus and the external processing apparatus is a first type in which a memory in the image sensing apparatus can be accessed directly from said external processing apparatus, or a second type in which processing in said external processing apparatus can be controlled by a controller of the image sensing apparatus, by communication with said external processing apparatus via said interface.” Other independent claims (i.e., claims 8, 14, 21, 26, 33, 39 and 46) recites similar features to claim 1 as described herein.

One of the aspects of the present invention enables an automatic recognition of the type of the printer when the image processing apparatus is connected to the printer. For example, if the printer is determined that it is not equipped with a direct printing feature such as the New Camera Direct Print (NCDP), the image processing apparatus automatically recognizes this feature when connected and change the processing accordingly, i.e., let the memory of the image sensing apparatus be directly accessed from the printer. If, however, the printer is determined that it is equipped with NCDP feature, the image processing apparatus of the present invention automatically recognizes this feature controls the printer by the controller of the image sensing apparatus.

The Office Action indicates that Ito discloses a determination unit that determines whether the control relation between the image sensing apparatus (102) (i.e., VTR) and the external processing apparatus (101) (i.e., printer) is a first type and a second type. Regarding the “first type”, the Office Action indicates , *inter alia*, that “the VTR (102) is a camera with incorporated digital video. This device has the ability to recognize when the printer (101) has

issued a to search for and transfer a designated picture to be transferred or printed. This feature is used when the printer (101) has a operating unit that can output instructions for the VTR; fig. 23 and 24; col. 21, lines 50-68 and col. 22, lines 1-19.” Regarding the “second type”, the Office Action indicates that “using the operation unit (10), the VTR (102) can be used to send instructions and control data to the printer (101). The control data can control the process of the printer (101); see fig. 23 and 24; col. 21, lines 22-44; col. 22, lines 49-67 and col. 23, lines 1-24.”

The cited portions by the Office Action as indicated above merely describe a second embodiment of the data communication method that uses a direct printing between the VTR and the printer in which an operating unit 22 and a display unit 26 are provided in the printer 101. It is indicated in Ito that control instructions may be entered through the operating unit and the display unit to enable a user to control the VTR from the printer. It appears that the Office Action regards the control of the VTR from the printer in Ito as a first type operation of the present invention, and the sending control information from the VTR to the printer as a second type operation of the present invention.

As Applicant understand it, however, Ito simply fails to teach “a determination unit” of the present invention that determines whether the control relationship between the VTR and printer is a first type or a second type as specifically recited in the pending claims. As a result, Ito further fails to show or suggest “a processing controller” of the present invention that changes the processing procedure of the image based on the determination result. Applicant notes that a portion of Ito merely describes that “[w]hether or not direct printing is being performed by the VTR 102 is determined by the system controller 11 while examining the image transfer condition from the memory 12...” (col. 22, line 66 - col. 23, line 2)

Ohtsu is cited as disclosing a display unit having an energy-saving mode. Rissman is cited as disclosing a display unit that display the image from the image sensing apparatus. However, none of the Ohtsu and Rissman shows or suggests the “determination unit” and “processing controller” of the present invention as discussed above.

Accordingly, each of claims 1, 8, 14, 21, 26, 33, 39 and 46 is believed neither anticipated by nor rendered obvious in view of the cited reference (i.e., Ito, Ohtsu and Rissman), either taken alone or in combination.

Nonetheless, independent claims 1, 8, 14, 21, 26, 33, 39 and 46 have been amended for further clarification. In particular, amended claim 1 recites, *inter alia*, “a determination unit which determines whether control relation between the image sensing apparatus and the external processing apparatus is a first type in which the external processing apparatus is configured in such a way that a memory in the image sensing apparatus can be accessed directly from said external processing apparatus, or a second type in which the external processing apparatus is configured in such a way that processing in said external processing apparatus can be controlled by a controller of the image sensing apparatus, by communication with said external processing apparatus via said interface.” Other independent claims (i.e., claims 8, 14, 21, 26, 33, 39 and 46) are amended in a similar manner. Support for the amendment may be found, e.g., page 16, line 15 through page 19, line 22 of the original specification.

Applicant believes that amended claims 1, 8, 14, 21, 26, 33, 39 and 46 further distinguish over the cited references.

Reconsideration and withdrawal of the rejections of claims 1, 8, 14, 21, 26, 33, 39 and 46 under 35 U.S.C. §102(b) is respectfully requested.

Applicant has not individually addressed the rejections of the dependent claims because Applicant submits that the independent claims from which they respectively depend are in condition for allowance as set forth above. Applicant however reserves the right to address such rejections of the dependent claims should such be necessary.

Applicant believe that the application as amended is in condition for allowance and such action is respectfully requested.

AUTHORIZATION

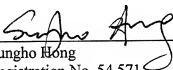
No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicant hereby petitions the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-5080). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: August 6, 2007

By: _____


Sungho Hong
Registration No. 54,571

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 (Telephone)
(212) 415-8701 (Facsimile)

AUTHORIZATION

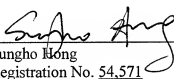
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Sung Ho Hong
Registration No. 54,571

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 (Telephone)
(212) 415-8701 (Facsimile)